



Hungary

Country Reports on Human Rights Practices - [2001](#)

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Hungary is a parliamentary democracy with a freely elected legislative assembly. Prime Minister Viktor Orban, the leader of the FIDESZ-Hungarian Civic Party, heads a coalition Government formed after elections in May 1998 by FIDESZ, the Independent Smallholders' Party, and the Hungarian Democratic Forum. The Government generally respects the constitutional provisions for an independent judiciary.

The internal and external security services report directly to a minister without portfolio, and the police report to the Interior Minister. Police committed human rights abuses.

The country's population is approximately 10.1 million. Most international financial institutions agreed that the country has completed successfully its transition from a centrally directed economy to a fully functioning and prosperous market economy. By year's end, the economy had grown by approximately 4 percent, unemployment had fallen to 5.5 percent, and inflation had dropped to 6.9 percent. The Government maintained a strong commitment to a market economy, but has done little to address several remaining problems in agriculture, health care, and tax reform. The private sector accounts for more than 80 percent of gross domestic product (GDP). Despite the economy's performance, an estimated 25 percent of the population lives in poverty, with the elderly, large families, and the Roma most affected. The per capita GDP was approximately \$4,500 (1.3 million HUF) in 2000.

The Government generally respected the human rights of its citizens; however, there were serious problems in some areas. Police continued to use excessive force against, beat, and harass suspects. Police also abused and harassed both Roma and foreign nationals. In practice the authorities do not always ensure due process. Prosecutors and judges may impose what amounts to unlimited pretrial detention. The authorities have attempted to evict Roma from some cities. There have been several reported incidents of interference in state-owned radio broadcasts by politically appointed board members. Violence against women, including spousal abuse, remained serious problems. Sexual harassment and discrimination on the job also remained serious problems. The Government has taken steps to improve the rights of persons with disabilities and continued to implement legislation to improve the status of women. Anti-Semitic and racial discrimination persisted and a number of racially motivated attacks, particularly against Roma were reported during the year. Societal discrimination against Roma remained a serious problem. Trafficking in persons, particularly women and children, for the purpose of prostitution and forced labor remained a problem.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports during the year of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

In 2000 a Cameroonian asylum seeker, Ebune Christian Ecole, died while being deported. A government autopsy concluded that the cause of death was a congenital heart defect. Local nongovernmental organizations (NGO) called for a thorough investigation of the circumstances surrounding Ecole's death; however, in March the Budapest Public Prosecutor declined to conduct an investigation and closed the case.

Trials continued in a number of cases of persons charged with crimes against humanity for shooting into crowds of demonstrators with machine gun fire and for throwing hand grenades during the 1956 Revolution. The defendants originally were tried in 1993 for their actions in connection with these events. They were charged with murder but were acquitted because the 15-year statute of limitations for murder had passed. However, in 1999 the Supreme Court overturned the previous verdicts, stating that the defendants should be charged with war crimes, which have no time limit, and retried. In 2000 a total of 10 of the defendants were convicted. Those found guilty were sentenced to short prison terms that subsequently were suspended, and had their pensions reduced. Former military officials found guilty during these trials also were reduced in rank, which affects their pension rights. Eight cases remained pending before the courts at year's end.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices; however, police abuses continued, including the excessive use of force, beatings of suspects, and harassment. Police continued to harass and physically abuse Roma and foreign nationals.

During the year, the Interior Ministry reported 92 cases of police abuse, 26 cases of forced questioning, and 14 cases of unlawful detention. Although the Government's data protection law prohibits the identification of individuals by ethnicity in government statistics, the Interior Ministry stated that Roma were the targets of police abuse in 19 cases. Local NGO's estimated the total number of cases to be significantly greater than Government figures indicated. In 2000 a total of 27 complaints filed against police officers resulted in court cases. However, in the majority of cases no investigation has occurred. Many of the cases that did not make it into the court system remained pending at year's end. Historically 10 to 15 percent of such cases result in convictions. In 2000 two cases involving the use of force during interrogation resulted in convictions against police. Punishments for police abuses include fines, probation, and the imposition of suspended sentences. According to a report by the Hungarian Helsinki Committee (HHC) in 2000, persons detained by police complained of abuse, but very few file official complaints because they do not expect positive results and fear that the complaint may affect their cases adversely. However, some sources attributed the increase in the numbers of reports of police abuse to a growing willingness to seek official redress in these instances.

The Romani minority community and dark-skinned foreigners are the most common victims of police abuse, with Roma bearing the brunt of such abuse. In April police raided a funeral wake in Bag, a predominately Roma village in Pest county. The Roma Civic Rights Foundation alleged that police assaulted several individuals while entering a private home during the raid; an investigation by Pest county authorities was ongoing at year's end (see Section 5). During the year, the Government Office of Ethnic Minorities received regular complaints of police misconduct and abuse from Roma.

In June 1999, after several incidents of police brutality against Roma in Hajduhadhaz, the Ministry of Interior admitted that the town had the highest level of reported police violence in the country, and that half of the town's police force was under investigation for allegations of abuse. During the year, four police officers were dismissed in Hajduhadhaz as a result of a government investigation. The Roma Civic Rights Protection Foundation reported that in Budapest in June 1999, three police officers beat and kicked a Romani university student as he walked through a park. When the man told the officers that he would report their abuse, they beat him further. The Rom filed a lawsuit against the officers; in October he withdrew the lawsuit. Despite such occurrences, the Ombudsman for Minority Affairs, which investigates constitutional violations in the public sector, believes that the situation was, at worst, remaining constant, and possibly was better, but only marginally.

NGO's reported fewer cases of police harassment of foreign residents, particularly of non-Europeans; however, police showed indifference towards foreigners who had been victims of street crime.

Border guards facilitated trafficking in persons by taking bribes from traffickers (see Section 6.f.).

The police and Interior Ministry continued to work to change the authoritarian image of the police, and human rights organizations report that police generally were more cooperative with outside monitoring of police behavior.

Prisons are overcrowded but generally meet international standards according to the HHC who conducted a monitoring program that ended during the year. In 1 detention facility the study found that 5 percent of inmates

alleged mistreatment by prison guards, which included 49 cases of minor physical assault. The Military Prosecutor's Office, which has responsibility for such cases, declined to conduct an investigation and simultaneously determined that no mistreatment had occurred. As of September, the population of prisons and detention centers was 17,170 persons, or 156 percent of capacity, which represents an increase of 9 percent from 2000. Tougher maximum sentences have contributed to the increase in the prison population. According to officials, the general health of prisoners declined in the last few years.

Between 65 and 70 percent of prisoners earn wages while in prison, either from work performed in prison or from work-release programs. The HHC reported that the wages prisoners received were lower than those of workers outside of penal institutions. The organization also expressed its concern that the period of time spent working in penal institutions by prisoners does not count towards social security service time. Some programs allow prisoners to spend weekends at home. There are sports facilities, as well as radio and television, in each penal institution. Libraries also were available and prisoners may attend training programs to assist their eventual return to life outside of prison. Civic organizations, foundations, charity organizations, and churches assist in the rehabilitation process. In response to a report by the chief Ombudsman, a new pre-detention center was opened in 2000, reconstruction work on two prisons continued, and a new prison is scheduled to open in early 2003. Men and women are held separately, juveniles are held separately from adults, and pre-trial detainees are held separately from convicted prisoners.

The Government permits visits by independent human rights monitors, which conducted such visits during the year.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention, and the Government generally observes these prohibitions.

The law requires that police obtain warrants to place an individual under arrest. Police must inform suspects upon arrest of the charges against them but may hold detainees for a maximum of 72 hours before filing charges. The law requires that all suspects be allowed access to counsel prior to questioning and throughout all subsequent proceedings, and that the authorities provide counsel for juveniles, the indigent, and persons with mental disabilities; however, credible reports suggest that police do not always allow access to counsel, particularly for minor crimes. There is no system of bail.

Pre-trial detention, based on a warrant issued by a judge, initially is limited to 1 year while criminal investigations are in progress; it may be extended indefinitely on the prosecutor's motion, provided that a judge concurs. Under the new Criminal Procedure Law that is scheduled to take effect in January, 2003, pre-trial detention is to be limited to a maximum of 3 years, after which a case expires automatically if formal charges are not brought. The lack of a bail system gives a great deal of flexibility to judges. The Prosecutor General's Office reported that the average length of pre-trial detention during the first 6 months of the year was 108 days, compared with 106 days in 2000, although nearly 10 percent of detainees were held for periods ranging from 8 to 12 months. In addition aliens usually were held until their trials, since they are considered likely to flee the country. Roma allege that they were kept in pre-trial detention longer and more frequently than non-Roma (see Section 1.e.). The law provides for compensation when a detainee or victim of forced medical treatment is released for lack of evidence, but the procedure rarely is exercised since detainees must undertake a complicated legal procedure to pursue such claims. The Minister of Justice, on behalf of the State, decides upon compensation. The amount is decided on a case by case basis, and may cover the costs of the trial, attorney's fees, lost wages, and some other miscellaneous sums.

The law permits police to hold suspects in public security detention (PSD) under certain circumstances, including when a suspect has no identity papers, when blood or urine tests must be performed to determine blood alcohol content, or when a suspect continues to commit a misdemeanor offense in spite of a prior warning. Suspects may be held in PSD for up to 24 hours. Such detainees are not always informed of the charges against them, because such periods of "short" detention are not defined as "criminal detention" and so are not considered to be covered by the Criminal Code. However, there were no reports that police abuse these rights in practice.

The law does not provide for forced exile, and the Government does not employ it.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respects this provision in practice.

Under the Constitution, the courts are responsible for the administration of justice, with the Supreme Court exercising control over the operations and judicial procedure of all other courts. There are three levels of courts. Original jurisdiction in most matters rests with the local courts. Appeals of their rulings may be made to the county courts or to the Budapest municipal court, which have original jurisdiction in other matters. The Supreme Court is the final court of appeal, while the Constitutional Court is the final court on constitutional matters. Appeals of decisions by military courts also may be heard by the Supreme Court.

Under the new Criminal Procedure Law that is scheduled to take effect in January 2003, an intermediate court of appeal is to be established between the county courts and the Supreme Court. These intermediate courts were designed to alleviate the backlog of court cases and permit lower courts to hear simple cases; however, critics of the new system charged that it would slow court procedures and increase costs. The Government has delayed indefinitely the implementation of the new level of courts, citing budgetary constraints.

The Constitutional Court is charged with reviewing the constitutionality of laws and statutes brought before it as well as the compliance of these laws with international treaties that the Government has ratified. Parliament elects, with a two-thirds majority, the 11 members of the Constitutional Court, who serve 9-year terms. In theory their mandates may be renewed, but no judge has been reelected. The judges elect the president of the Constitutional Court from among themselves by secret ballot. Citizens may appeal to the Constitutional Court directly if they believe that their constitutional rights have been violated. The Constitutional Court is required to address every petition it receives; however, no deadline is specified for the Court to render a decision. Consequently a considerable backlog of cases has developed. No judge or member of the Supreme or Constitutional Courts may belong to a political party, or a trade union. Members of the Constitutional and Supreme Courts also may not be members of Parliament, or be employed in local government. The retirement age of the Constitutional Court judges is 70 years.

A National Judicial Council nominates judicial appointees other than the Constitutional Court and oversees the judicial budget process.

The law provides for the right to a fair trial, and an independent judiciary generally enforces this right. Trials are public, but in selected cases, judges may agree to a closed trial to protect the accused or the crime victim, such as in some rape cases. Judicial proceedings generally are investigative rather than adversarial in nature. Defendants are entitled to counsel during all phases of criminal proceedings and are presumed innocent until proven guilty. Counsel is appointed for indigent clients, but the public defender system provides generally substandard service. There is no public defender's office; private attorneys may or may not choose to serve in this capacity. Public defenders are paid poorly--less than \$5 (1,000 HUF) for the first hour of the trial and less than \$2.50 (500 HUF) for each additional hour--and do not give indigent defendants priority. Lawyers often meet indigent clients for the first time at trial.

Judicial proceedings vary in length and delays of several months to a year are common prior to the commencement of trials. Cases on appeal may remain pending before the courts for indefinite periods, during which time defendants are held in detention. There is no jury system; judges are the final arbiters. Recent changes to the law, which are scheduled to take effect in 2003, would limit the length of judicial proceedings to 3 years.

Under the new Criminal Procedure Law, which is scheduled to take effect in 2003, prosecutors are to have greater influence over their cases. Plea bargaining, which is known as a trial waiver, is a tool available to prosecutors. Police believe that plea bargaining may be an important weapon in the fight against organized crime.

Many human rights and Romani organizations claimed that Roma receive less than equal treatment in the judicial process. Specifically they alleged that Roma are kept in pretrial detention more often and for longer periods of time than non-Roma. This allegation is credible in light of general discrimination against Roma; however, there is no statistical evidence because identifying the ethnicity of offenders is not allowed under the data protection law. Since the majority of Roma fall into the lowest economic strata, they also suffer from substandard legal representation.

Military trials follow civil law and may be closed if national security or moral grounds so justify. In all cases, sentencing must take place publicly. The law does not provide for the trial of civilians in military courts.

During the year, the Ministry of Interior established a Victim Protection Office in each county to provide psychological, medical and social services assistance to victims of crime. At the conclusion of judicial proceedings, victims may apply through the National Public Security and Crime Prevention Public Foundation for financial compensation, which is to be paid by the person convicted of the crime. In 2000 a total of 183 out of 347 applicants were given compensation totaling more than \$100,000 (30 million HUF). The White Ring

Nonprofit Association, which is a member of the European Victim Protection Forum, supports the work of the Victim Protection Offices. A book on victim protection, used to train policemen and activists, also contains a list of all NGO's that provide protection to victims of crime. In December Parliament enacted legislation that expanded legal protection of persons involved in court cases; however, the law had not been implemented by year's end.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions and the Government generally respects these prohibitions in practice. The law provides that the prosecutor's office may issue search warrants. Police must carry out searches of private residences in the presence of two witnesses and must prepare a written inventory of items removed from the premises. Wiretapping, which may be done for national security reasons and for legitimate criminal investigations, requires a court's permission. These provisions appear to be observed in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and the press, and the Government generally respects this right in practice; however, during the year, the FIDESZ-led coalition Government continued to attempt to counterbalance what it considered a leftwing bias in news coverage through its influence on personnel decisions within the state-owned media. Nonetheless a wide variety of views and opinions were available among the highly competitive print and broadcast media.

After the transition from communism, the majority of print media outlets were purchased by foreign publishing companies. There were numerous publications that made the local print market much more competitive. Political opposition sources and media outlets critical of the Government made credible claims that the FIDESZ-led Government, in its attempt to "balance" the print media, promoted certain media outlets over others. For example, advertisements from state-owned companies and financial institutions were awarded to progovernment papers, which also tended to receive better access to government sources.

The Media Law created institutions designed to foster a free and independent electronic media. The law provided for the creation of nationwide commercial television and radio boards and was intended to insulate the remaining public service media from government control. The National Television and Radio Board monitored news broadcasts for equal treatment of all political parties and censured and fined public and private broadcasters.

Only FIDESZ-led coalition Government delegates served on the truncated media boards for Hungarian Public Radio and Hungarian Public Television, despite the fact that the law requires politically proportional representation on the boards. Political opposition leaders claimed that the FIDESZ-led Government had extended its power within the state-owned media through its influence over personnel decisions.

There are minority-language print media, and the state-run radio broadcasts 2-hour daily programs in languages of the major minority groups in Romani, Slovak, Romanian, German, Croatian, and Serbian. State-run television carries a 26-minute program produced by and for each major minority group; programs serving the smaller minority communities may be seen every other week or on a monthly basis. All of the programs are repeated on the weekends. In October Radio C, a nonprofit station sponsored by public foundations that began broadcasting in February, was granted a 7-year license; 80 percent of its staff are Roma.

In November charges were filed against Aron Modus and six other persons for publishing the anti-Semitic "Protocols of the Elders of Zion," on the grounds that the book was a misleading account of Jewish history.

The Government does not restrict or monitor access to the Internet.

Academic freedom is respected.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the freedoms of assembly and association, and the Government generally

respects these rights in practice.

There essentially are no restrictions on peaceful public gatherings. The Government does not require permits for assembly, except when a public gathering is to take place near sensitive installations, such as military facilities, embassies, or key government buildings. The Government may alter or revoke permits for assembly, but there were no reports that they used this authority during the year.

Any 10 or more persons may form an association, provided that it does not commit criminal offenses or disturb the rights of others. Associations with charters and elected officers must register with the courts. Registration of associations is granted routinely and without bias.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There are 100 officially recognized religions. A group must provide 100 signatures to register as a religion, which it may do in any local court. While any group is free to practice their faith, formal registration makes available to a religious group certain protections and privileges, and grants access to several forms of state funding.

There is no preferred religion, although not all religions receive state support. The Government provides subsidies to some religious groups in amounts negotiated each year between the Ministry of Cultural Heritage and the Finance Ministry. During the year, the Government provided subsidies to 90 religious groups, compared with 76 in 2000.

The Government has demonstrated a willingness to treat the larger or more well-established religions more favorably than minority religious communities. In 2000 Parliament amended the tax code and set criteria under which direct contributions to churches are tax deductible; these criteria limit the benefit to 14 of the 100 registered churches in the country. In February several of the smaller churches whose members cannot participate in this tax deduction took the case to the Constitutional Court, which chose not to review it.

In 2000 the Hungarian Tax Authority (APEH) initiated investigations of the Church of Scientology, based on questions regarding the registration of its clergy. The investigations took place at the Church's office where APEH investigators requested files and conducted interviews. The investigations have not affected the usual management of the Church and have not required the expenditure of large amounts of Church funds. The APEH had not completed its investigation by year's end.

Between 1997 and 1999, the Government signed separate agreements with the country's four "historic churches" (the Roman Catholic, the Lutheran and Reformed Churches, and the Jewish community), and with two smaller churches (the Hungarian Baptist and the Budai Serb Orthodox). The Government and these churches agreed upon a number of properties to be returned that had been confiscated during the Communist regime, and an amount of monetary compensation to be paid for properties that could not be returned. In 1999 the Government paid churches \$21 million (5 billion HUF) in compensation for assets. By 2011 the Government is expected to pay an estimated total of \$179 million (42 billion HUF) to religious groups for buildings that are not returned. While these agreements primarily addressed property issues and restitution, they also have provisions that addressed the public service activities of the churches, religious education, and the preservation of monuments.

Overall 7,220 claims have been made by churches for property restitution under the Compensation Law; of these cases, 1,600 were rejected as inapplicable under the law; the Government decided to return the property in 1,129 of them; and the Government made cash payments in another 1,770. Approximately 1,000 cases were resolved directly between former and present owners without government intervention. In the remainder (approximately 1,660 cases), the Government must decide whether to return the real property that once belonged to the various religious groups by 2011. Religious orders and schools are among those that have regained some property confiscated by the Communist regime.

In 2000 the Council of Europe's Commission Against Racism and Intolerance published a report that criticized the blatant anti-Semitism in some media, in Parliament, and in society (see Section 5). Jewish community officials concerned about blatant anti-Semitism claimed that the Government does not distance itself sufficiently from the extreme rightwing MIEP party's coded anti-Semitic pronouncements.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respects them in practice; however, local authorities in some cases have tried to expel Roma from towns. Authorities have taken advantage of situations such as the eviction for nonpayment of bills or condemnation of Roma homes to relocate and concentrate Romani populations, in effect creating ghettos (see Section 5).

The Government may delay but not deny emigration for those who have significant court-assessed debts or who possess state secrets. Those with approximately \$40,000 (over 10 million HUF) or more in public debt may be denied travel documents. The Government requires that foreigners from countries that do not have a visa waiver agreement with Hungary obtain exit visas each time they leave the country, although blanket permission at times is available.

Discrimination, poverty, and unresolved social problems continued to drive Roma emigration, particularly to Canada (see Section 5).

In June Parliament passed the Status Law, which is scheduled to take effect in January 2002, and provides certain social, educational, and economic benefits to ethnic Hungarians living outside the country in neighboring states, with the exception of Austria. Under this law, ethnic Hungarians living abroad may qualify for temporary work permits, and the Government would promote Hungarian minority education in neighboring states.

The law provides for the granting of asylee or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperates with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations assisting refugees. The Government provides first asylum. According to the UNHCR, approximately 9,554 asylum seekers entered the country during the year (a 22.5 percent increase over 2000) of which 4,311 were from Afghanistan. In 2000 the Government granted 197 out of 7,801 applicants refugee status under the Geneva Convention; 680 applicants were granted temporary protected status. During the first 8 months of the year, 125 out of 5,787 applicants were granted refugee status and 193 were granted temporary protected status. Of 7,801 applicants for asylum in 2000, 2,185 were from Afghanistan, 1,656 were from Bangladesh, 889 were from Iraq, 249 were from Sri Lanka, 220 were from Pakistan, and 692 were from the former Yugoslavia. While the high number of Afghan refugees is not unusual, the relative decrease in Yugoslav applicants in 2000 reflected the changes in Yugoslavia.

In January 2000, the Government established the Government Office of Immigration and Naturalization (OIN), (formerly the Office of Migration and Refugee Affairs) as the central authority for asylum and immigration matters. Refugee applicants are housed in three government-owned camps and two temporary camps run by NGO's. The camps have been operating since the early 1990's, largely as a result of the influx of refugees fleeing the various conflicts and incidents of ethnic cleansing to the south. The Government estimated that there were as many as 5,000 asylum seekers and as many as 40,000 to 60,000 immigrants (the vast majority from Romania) living in the country in unregistered status; however, the local office of the UNHCR believes that these figures are too high. In October Parliament passed amendments to the Laws on Asylum and on Aliens, aimed at streamlining and simplifying the court process for asylum; the amendment is to take effect in 2002. The HHC expressed regrets that the amendment to the Aliens Act lacked provisions that would take into consideration the family ties in Hungary of those deported.

The increase in asylum caseload resulting from a change in the law in 1998 and from events in Kosovo and the resulting NATO action in 1999 placed a tremendous strain on the OIN's resources, leading to a large number of pending cases and an increased processing time per application. Prospective refugees who seek only to transit to other European countries are encouraged to return to their countries of departure. As of October 2, there were approximately 2,187 asylum seekers located in 3 permanent and 2 temporary reception centers. In October in anticipation of an increase in the number of refugees, the immigration authorities opened a former military barracks south of Budapest to serve as an additional center to house refugees. Several NGO's and human rights organizations support asylum seekers and provide legal information.

Foreigners caught trying to cross the border illegally either may apply for refugee status if they have valid travel documents, or are housed temporarily at one of eight border guard facilities throughout the country, pending deportation. During the first 6 months of the year, 6,964 persons occupied these facilities; in 2000 there were 11,570 persons. On average there are 691 persons in the facilities per day. In 2000 the greatest number of aliens in the border guard facilities came from Romania (5,846), Moldova (1,372) and Afghanistan (434); in the first 8 months of the year, there were 2,985 Romanians, 896 Moldovans, and 545 Afghans in the border guard facilities. While police seek the timely deportation of detainees who do not qualify for refugee status, a shortage of funds and the detainees' lack of property or documentation, such as passports, often resulted in lengthy stays. Unlike in the previous year, there were no reports of abuse during deportation. In 2000 a Cameroonian asylum seeker, Ebune Christian Ecole, died while being deported (see Section 1.a.).

NGO's and foreign governments have criticized the Government for inhumane conditions in the border guard facilities and for the arbitrary application of asylum procedures. In 1999 the Parliament's human rights ombudsman criticized the conditions in border guard community shelters for foreigners, including asylum seekers, as "uncivilized and intolerable." Partly in response to this criticism, in 2000 the Government closed the worst centers and additional unsuitable facilities during the year; construction began on new detention centers during the year. The Government has sought to work with NGO's to improve conditions.

There were no reports of the forced return of persons to a country where they feared persecution during the year.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercise this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. Elections are held at least every 4 years.

Members of Parliament are elected every 4 years through a complex, multistate process, in which voters cast ballots for individual candidates and party lists. The FIDESZ ruling parliamentary faction heads the ruling coalition, which includes the Smallholders' Party and the Hungarian Democratic Forum (the latter two parties formed the government coalition between 1990 and 1994 with the Christian Democrats, one segment of which later merged with FIDESZ). The opposition includes the extreme rightwing Hungarian Justice and Life Party and two leftwing parties, the Hungarian Socialist Party and the Free Democrats.

The law on ethnic minorities and the election law provide for the establishment of minority self-governments (see Section 5).

The percentage of women in government and politics does not correspond to their percentage of the population, although there are no legal impediments to women's participation. Only 33 of 386 parliamentary representatives are female, and 1 woman serves in the Cabinet. Few women occupy other leadership positions in the Government or political parties. The level of women's political participation is greater in provincial and municipal governments than at the national level. The Hungarian Women's Alliance holds weekend courses throughout the year to promote the participation of women in public life.

The percentage of minorities in Government and politics does not reflect their percentage of the population. Despite the lack of ensured minority representation, there are several Members of Parliament, including one ethnic German and one ethnic Slovak, who are members of ethnic minorities; however, none specifically represents their respective minority populations. There are no Romani Members of Parliament; however, in December FIDESZ signed an election cooperation pact with the leading Romany association Lungo Drom to promote the election of Roma to Parliament in 2002 under the FIDESZ ticket.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups in general operate without government restriction, investigating and publishing their findings on human rights cases. Many NGO's report that the Government increasingly was responsive to their requests for information. Human rights groups indicated improvement in the degree of cooperation from Government Ministries and prosecutors' offices on cases involving Roma and police abuse. An increasing number of NGO's are involved in the law-making process; however, NGO's claimed that the Government's cooperation in this area was insufficient.

The Government does not interfere with activities of international NGO's and several have established offices in the country, including Human Rights Without Frontiers and the Helsinki Committee.

There is a 21-member parliamentary Committee for Human, Minority, and Religious Rights, which conducts hearings and participates in the law-making process. The Committee is composed of both majority and opposition Members of Parliament, which reflects the proportion of party representation in Parliament. During the year, the Committee vetoed a government proposal to amend the law on religions, which would have placed restrictions on the establishment of religious groups.

In 1995 the Parliament established the creation of separate Ombudsmen for human rights, data protection, and minority affairs. The Ombudsmen offices are independent from the Government, and prepare annual reports to Parliament on their activities and findings. Parliament elects Ombudsmen for six 2-year terms and they may be reelected. In June the Minority Affairs Ombudsman was reelected for a second 6-year term.

Persons with complaints who have not obtained redress elsewhere may seek the assistance and investigative authority of the Ombudsmen's office.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for individual rights, equality, and protection against discrimination; however, in practice discrimination persisted, particularly against the Roma.

Women

Spousal abuse is believed to be common, but the vast majority of such abuse is not reported, and victims who come forward often receive little help from authorities. The NGO Women Against Violence reported that 20 percent of women are threatened by or are victims of domestic violence and that one woman per week is beaten to death. NGO's also reported that there is insufficient emphasis on the protection of female crime victims. During the year, there were no known prosecutions for domestic violence. Police and prosecutors usually are unsympathetic to victims of domestic abuse. The laws criminalize spousal rape. Women's rights organizations claim that 1 woman in 10 is a victim of spousal abuse and that societal attitudes towards spousal abuse are archaic. During the year, Parliament enacted legislation that prohibits domestic violence and establishes criminal penalties for those convicted of such acts.

While there are laws against rape, often it is unreported for cultural reasons. Police attitudes towards victims of sexual abuse reportedly are often unsympathetic, particularly if the victim was acquainted with her abuser. In the first 6 months of the year, women were victims of 44,447 reported crimes; in 2000 women were the victims of 88,521 reported crimes. During the first 6 months of the year, there were 5,059 reports of crimes against family, youth, and sexual morality. NGO's claimed that the police were unable to assist victims in one-third of the reported cases. The Ministry of Social and Family Affairs was dealing with this issue and is reported to be working on remedial legislation.

Victims of domestic violence may obtain help and information via a national hot line or at one of several shelters. The hot line operates intermittently for 3-hours each day; a message system exists for the time when a counselor is unavailable. Shelters provide short-term refuge, and their locations are concealed to protect victims.

Prostitution is illegal; however, in accordance with the law, there are "tolerance zones" where such activity may occur.

Trafficking in women for the purposes of sexual exploitation was a serious problem (see Section 6.f.).

The law does not prohibit sexual harassment in the workplace. A 1995 report on the country prepared under the auspices of the U.N. to evaluate compliance with the Convention on the Elimination of Discrimination Against Women found that sexual harassment in the workplace was "virtually epidemic." Women's groups reported that there is little support for efforts to criminalize sexual harassment, and that sexual harassment is tolerated by women who fear unemployment more than harassment. The Labor Code regulates questions of security in the workplace; acts of sexual harassment may be prosecuted under the defamation statutes (if violent, such acts are considered sexual misconduct). Sentences of up to 3 years' imprisonment may be imposed for sexual harassment. During the year, no charges were brought under this provision of the Labor Code.

Women have the same rights as men, including identical inheritance and property rights. The Office for Women's Issues operated an antidiscrimination hot line, which operates 10 hours a day and offers free legal advice to women who believe that they were discriminated against with respect to employment. According to the head of the office, the hot line receives 20 to 30 calls per day. While there is no overt discrimination against women, the number of women in middle or upper managerial positions in business and government remained low, and in practice women receive lower pay compared to men in similar positions and occupations. Nevertheless, the number of women in the police and the military has risen over the past several years, and women are represented heavily in the judiciary and in the medical and teaching professions. A Women's Representative office was established in the Ministry of Social and Family Affairs to address women's issues. As of 2000, the Women's Representation Secretariat became an independent department within the Ministry.

Children

The Government is committed to children's rights. Education is mandatory and free through 16 years of age.

The Ministry of Education estimates that 95 percent of school-age children, with the exception of Roma children, are enrolled in school. Roma are far more likely than non-Roma to stop attending school before age 16. The percentage of the country's Roma graduating from high school in 1993 was 1.6 percent compared with 23.8 percent for non-Roma.

Roma and other civic organizations highlighted the practice of placing Roma children in remedial education programs designed for children with mental disabilities or low academic performance, resulting in a form of de facto segregation. Although the children could be returned to the regular school system, only a small percentage return. In 1999 the Minister of Education and the parliamentary Ombudsman for Minority Rights announced at a press conference that there is segregation in the country's educational system. The statement followed the publication of a report by the Ombudsman's office that found that the high proportion of Romani children in "special schools" for the mentally disabled was a sign of prejudice and a failure of the public education system. The Government Office of Ethnic Minorities reports that 7 percent of Roma children go to special schools for children with mental disabilities. The Roma Civic Rights Foundation found that there were 132 segregated schools throughout the country. The Government contests the claims of human rights organizations and states that the Romani schools are designed to provide intensive help for disadvantaged children.

In September the Government converted the family allowance into a school attendance allowance. This measure was intended to force children to go to school, but some Romani NGO's fear that this may be another form of discrimination against Roma, many of whom live in small villages with no high schools within manageable distance. Furthermore, the extreme poverty of many Roma makes it difficult for them to clothe their children appropriately for school. Taking away the family allowance is thus seen by Roma as punishment for neglecting to do something that they cannot afford.

There are programs aimed at increasing these numbers (the Romaversitas program supports Romani students finishing degrees in institutions of higher education), and there are Departments of Roma Studies in the Teachers' Training College in Pecs and Zsambek. The Government provides a number of scholarships to Roma children at all levels of education through the Public Foundation for the Hungarian Roma. However, the impact has yet to be significant.

School-age children may receive free medical care at state-operated institutions and most educational facilities. Psychologists are available to evaluate and counsel children, and provisions exist for children to obtain dental care; the Social Security Office provides these services.

Child abuse was a problem. A 1999 survey showed that over 25 percent of girls were abused by a family member before they reached the age of 12. NGO's reported that neglect and abuse were common in state care facilities. A number of laws have been passed to address family violence, including a law on the protection of children. The Criminal Code provides for serious sanctions against the neglect and endangerment of minors, assault, and preparation of child pornography. During the first half of the year, children were the victims of 1,450 crimes; in 2000 they were the victims of 2,929 crimes.

Child prostitution is not a common practice, although isolated incidents exist. Severe penalties exist under the law for those persons convicted of engaging in such acts. Trafficking in children for the purpose of sexual exploitation was a problem (see Section 6.f.).

Persons with Disabilities

There is no discrimination against persons with disabilities in employment, education, or in the provision of other state services. Government sources estimated that there were between 600,000 and 1 million persons with disabilities (6 to 10 percent of the population). Of these persons, 300,000 to 350,000 were considered seriously disabled and receive increased government benefits. Persons with disabilities faced societal discrimination and prejudice.

A Council for the Disabled was established in 1999 under the chairmanship of the Minister of Social and Family Affairs. The Council serves as an advisory board to the Government. A 1997 decree requires all companies that employ more than 20 persons to reserve 5 percent of their jobs for persons with physical or mental disabilities, with fines of up to 75 percent of the average monthly salary for noncompliance. In 1999 such fines yielded \$6 million (approximately 1.77 billion HUF) for rehabilitation funds for the disabled. The foreign NGO Mental Disability Rights International (MDRI) and the local NGO Hungarian Mental Health Interest Forum (PEF) noted that no procedures exist to oversee the treatment and care of persons with disabilities who are under guardianship. The MDRI and the PEF also criticize the use of cages in government facilities for persons with mental disabilities.

The law mandates access to buildings for persons with disabilities; however, services for persons with disabilities are limited, and most buildings are not wheelchair accessible.

Religious Minorities

In 2000 the Council of Europe's Commission Against Racism and Intolerance published a report that criticized the blatant anti-Semitism in some media, in Parliament, and in society.

According to police reports, there were 33 cases of persons vandalizing gravestones in 2000. There also were 98 reports of vandalism in cemeteries during the first half of the year; there were 343 such cases in 2000. There is no data on which churches the cemeteries belonged to. The Jewish Community (MAZSIHISZ) claimed that there were fewer acts of vandalism in Jewish cemeteries than in 2000, and most of the cases were committed by youths; the MAZSIHISZ does not consider these incidents anti-Semitic actions.

During the year, the Jewish community and the Roma worked together as the Roma began to turn to the MAZSIHISZ for information and advice on the Holocaust and compensation issues.

MAZSIHISZ and international Jewish organizations criticized as unfair a 1998 decision by the Government to provide \$128 (30,000 HUF) each to the heirs of Holocaust victims. In 1999 the president of MAZSIHISZ stated that hundreds of Holocaust survivors were returning compensation payments to the Government, protesting that the small amounts were an insult. The Orban Government stated that the \$128 (30,000 HUF) was all that could be paid out without budget imbalances. The figure of \$128 was accepted originally by the leaders of the Jewish Community who had negotiated with the Government; however, in December 2000, the Constitutional Court ruled that the negotiated amount was unconstitutional. In response to this ruling, the Ministry of Justice proposed an amended compensation amount of \$1,100 (303,000 HUF), plus retroactive interest. The Hungarian Jewish community tentatively accepted the Government's proposal, but negotiations continued over the payment of accrued interest.

National/Racial/Ethnic Minorities

The law recognizes individuals' minority rights, establishes the concept of the collective rights of ethnic minorities, and states that it is their inalienable collective right to preserve their ethnic identity. The law also permits associations, movements, and political parties of an ethnic or national character and mandates the unrestricted use of ethnic languages. For an ethnic group to be recognized it must have at least 100 years' presence in the country, and its members must be citizens. On this basis, minority status is granted specifically to 13 national or ethnic groups (among which the Roma are by far the most numerous). Other groups may petition the Speaker of Parliament for inclusion if they believe that they fulfill the requirements.

The law considers that the establishment of local minority self-governments is a necessary precondition for the enforcement of the rights of ethnic minorities. With some funding from the central budget and some logistical support from local governments, local minority self-governments seek to influence and oversee matters affecting minorities, particularly in the fields of education and culture. Local minority self-government elections, in conjunction with local government elections, have been held since 1994. Any of the 13 minorities can set up a minority self-government if at least 50 valid votes are cast in settlements with fewer than 10,000 inhabitants and if at least 100 votes are cast in larger settlements. Since ethnicity is not registered officially, voting on minority self-governments is not limited to the minorities themselves; all the voters receive a minority ballot in addition to the local government ballot. The elected local minority self-governments can elect their national minority self-governments; all 13 minorities have formed national self-governments. Several Roma self-governments formed regional groupings to facilitate cooperation. Minority self-government has been criticized mainly on two grounds; first, several minority representatives have objected to the fact that members of the majority can vote for minority candidates and thus influence minority politics; second, critics call for an increase in the competence of the minority self-governments and considerably more financial resources for them.

There were 770 Romani minority self-governments elected in the local elections in October 1998, a significant increase over the 477 elected self-governments in the first minority elections held in 1994. The new self-governments began operating in January 1999. Of these, 719 continued to function; a number of self-governments have ceased functioning since 1999 due to a lack of funds. During the first half of the year, there were a total of 1,321 minority self-governments. The Romani minority poses a special challenge for the system of national minority self-governments. In contrast to other minorities for whom the preservation of their identity and culture is the basic goal, the Roma also have to contend with the fact that they generally belong to the lowest socioeconomic strata of society. Ethnicity and poverty both are problems that the Roma must deal with. The Romani self-governments, unlike other self-governments, are faced with the task of improving the lives of their constituents with no additional resources.

The Minority Affairs Ombudsman--an ethnic German reelected in June--is charged specifically with defending minority rights. There is 1 Roma lawyer out of a total of 11 lawyers in the Ombudsman's office. The Ombudsman continued to promote a uniform antidiscrimination law. In March the Minister of Justice established an interministerial antidiscrimination committee that considered the antidiscrimination bill drafted by the Ombudsman; committee members include representatives of relevant ministries, the Government Office of Ethnic Minorities, and the Ombudsman.

Education is available to varying degrees in almost all minority languages. There are certain minority schools where the minority language is the primary language of instruction, and there are some schools where minority languages are taught as a second language.

Roma constitute at least 5 percent of the population, with some estimates as high as 9 percent. In view of the higher birth rate among Roma compared with the general decline in the majority population, observers believe that this percentage is likely to remain constant or grow, which causes concern among a substantial portion of the majority population. Germans, the second largest minority group, constitute approximately 2 percent of the population. Smaller communities of Slovaks, Croats, Romanians, Poles, Ukrainians, Greeks, Serbs, Slovenes, Armenians, Ruthenians, and Bulgarians also are recognized as ethnic minorities. The results of a census conducted during the year are scheduled to be released in 2002.

Conditions of life for the Romani community were significantly worse than among the general population. Roma suffer from government and societal discrimination, racist attacks, and are considerably less educated, and have lower than average incomes and life expectancy. The unemployment rate for Roma is estimated to be 70 percent, more than 10 times the national average. Once unemployment benefits are exhausted, and with social services stretched thin, the majority of Roma live in desperate poverty. As of 2000, the Government reduced the limit on unemployment benefits from 1 year to 9 months, which affects the Romani community disproportionately and exacerbates the poverty of this large segment of society. As a result, negative stereotypes of Roma as poor, shiftless, and a social burden persist. Roma continued to suffer widespread discrimination in education, housing, and access to public institutions, including restaurants and pubs. There have been at least two cases where bar owners who have refused to serve Roma customers were fined by the courts. NGO's believe that the fines imposed were insufficient. Schools for the Roma are more crowded, more poorly equipped, and in markedly poorer condition than those attended by non-Roma. Only 1.6 percent of the Romani community graduate from high school, compared with 23.8 percent for non-Roma, while 0.24 percent graduate from college or university, compared with 9.45 percent for non-Roma. The Minister of Justice leads an interministerial Roma affairs committee that is tasked with assigning Roma-related issues in the Government.

Local government officials have punished Roma who were unable to pay utility fees by evicting their families from residences without providing alternative housing. For example, in the town of Ozd, ERRC visited apartment buildings from which Roma were forced to leave for renovations, many without having been given alternative housing for the duration and who may return only if they pay high fees for the costs of renovation. In some areas, the relocation and concentration of Roma populations has, in effect, created ghettos. During the summer of 2000, laws on the tenancy of flats were amended to ease administrative procedures for evicting squatters. Under the new procedures, notaries public may authorize evictions and are required to enforce the order within 8 days, even if an appeal has been filed against the decision. Roma families bore the brunt of the new rules, which expand the power of local officials to remove Roma from their homes. The Roma Civic Rights Foundation visits and reports on cases of forced eviction, and works on urging local governments to provide temporary shelters. The Government developed a program to facilitate mortgages for middle and lower income Romani home buyers; it took effect during the year. Some of these loans are to be given at favorable interest rates and may reduce the number of forced evictions.

The country evaluation reports issued by the European Commission and the European Parliament both emphasized the pressing and urgent character of the Roma problem. For example, the Government sponsors programs both to preserve Romani languages and cultural heritage and to assist social and economic assimilation. The Ministry of Justice has oversight and budgetary control of the Coordination Council for Roma Affairs and the Office of National Ethnic Minorities. In 1999 the Government published an action plan designed to improve living conditions in Romani communities, with specific focus on public health, education, and work training; however, the plan provides no additional funds, it merely redistributes already inadequate resources. Despite this constraint, the program has been marginally successful.

Widespread popular prejudice against Roma continued. Police commonly abuse Roma (see Section 1.c.). In April in the village of Bag, a group of policemen attacked and beat a Roma family that was participating in a vigil over a dead body. Several policemen were fined \$5,000 (1.5 million HUF). In response the Office of Ethnic Minorities, together with the Ministry of Interior, conducted a conflict management program in the village. Police also fail to intervene to prevent violence against Roma. The European Roma Rights Center reported that on May 5, in Fiserbocsa, five Roma men were shot at and threatened in the presence of a police

officer. After several failed attempts to register a complaint with the police, one of the Rom took a hidden camera to the police station and recorded the police officer threatening to beat him and stating that it was unfortunate he had not been killed during the incident. The investigation continued at year's end.

According to Human Rights Watch, on June 17, in Hencida village, gasoline bombs were thrown at the house of the leader of the Roma Minority self-government; two of his daughters suffered burns from the firebombs.

Foreigners of color also reported harassment by police and at border control checkpoints. The Martin Luther King Organization (MLKO), which documents assaults on nonwhites, reported a gradual decrease in the number of such incidents over the past several years, with three such cases in the first 9 months of 2000. However, MLKO sources believe that many cases go unreported.

Changes to the Penal Code have made it easier to enforce and stiffen penalties for hate crimes committed on the basis of the victim's ethnicity, race, or nationality. The law already has been applied several times; there was one case pending at year's end.

In 2000 47 members of a Roma clan from the village of Zamoly applied for refugee status in France and indicated their intent to file suit against the Government at the European Court of Human Rights (ECHR). In March 15 a total of Roma from Zamoly were granted asylum in France; the Roma claimed they were threatened, physically attacked, and that their homes were destroyed. The asylum claims came after 3 years of tensions in Zamoly between the clan and the local community over housing issues. Nine of the 12 Roma families received refugee status in France. The ECHR has agreed to review that asylum case and is temporarily housing and maintaining the remaining applicants.

Section 6 Worker Rights

a. The Right of Association

The Labor Code recognizes the right of unions to organize and permits trade union pluralism. Workers have the right to associate freely, choose representatives, publish journals, and openly promote members' interests and views. There are six trade union federations; each is targeted broadly at different sectors of the economy. The largest labor union organization is the National Confederation of Hungarian Trade Unions, the successor to the former monolithic Communist union, with over 735,000 members. In 2000 the Democratic League of Independent Unions and the Federation of Workers' Councils had approximately 100,000 and 56,000 members, respectively.

With the exception of military personnel and police officers, workers have the right to strike.

There are no restrictions on trade union contacts with international organizations, and unions have developed a wide range of ties with international trade union bodies.

b. The Right to Organize and Bargain Collectively

The Labor Code permits collective bargaining at the enterprise and industry level, although the practice was not widespread and has discouraged actively in the growing private sector. Labor organizations appeared willing to cooperate with one another; this particularly was evident in their relationship in forums such as the National Labor Affairs Council (OMT), which succeeded the Interest Reconciliation Council in 2000, and which provides a forum for tripartite consultation among representatives from management, employees, and the Government. The OMT discusses issues such as wage increases and the setting of the minimum wage, which is negotiated centrally within the OMT in order to control inflation (see Section 6.e.). Individual trade unions and management may negotiate higher wages at the plant level. Under a separate law, public servants may negotiate working conditions, but the final decision on increasing salaries of public servants rests with Parliament. In 1998 the Government disbanded the Ministry of Labor and split its work between the Ministry of Economy, which is responsible for policy issues, and the Ministry of Social and Family Affairs, which is responsible for employment issues and drafting labor-related legislation.

Employers are prohibited from discriminating against unions and their organizers. The Ministry of Economy enforces this provision.

There are no export processing zones, but individual foreign companies frequently have been granted duty-free zone status for their facilities. Employees in such facilities and zones are protected under the labor laws.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor; however, trafficking in women for sexual exploitation and in men for forced labor was a problem (see Section 6.f.).

The law prohibits forced or bonded labor by children; however, trafficking in children was a problem (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

The Government has adopted laws to protect children from exploitation in the workplace. The Labor Code prohibits labor by children under the age of 15 and regulates labor conditions for minors (14 to 16 years of age), including prohibitions on night shifts and hard physical labor. Children may not work overtime. The National Labor Center enforces these regulations in practice, and there were no reports of any significant violations of this statute.

The law prohibits forced and bonded labor by children; however, trafficking in children was a problem (see Section 6.f.).

e. Acceptable Conditions of Work

The OMT establishes the legal minimum wage, which subsequently is implemented by a Ministry of Economy decree. However, in 2000 the OMT and the Ministry of Economy were unable to reach an agreement, which entitled the Government unilaterally to establish a minimum wage. The Government increased the minimum wage from \$90 (25,500 HUF) to \$140 (40,000 HUF), an increase of 56 percent; however, the national minimum wage does not provide a decent standard of living for a worker and family. The minimum wage is only 42 percent of the average wage. Many workers supplement their incomes with second jobs, and there are reports that many citizens, while officially earning the minimum wage, actually were paid higher wages informally so that their employers could avoid high payroll taxes. Since the establishment of the National Labor Affairs Supervising Authority, approximately 48,000 employers have been audited on an annual basis.

The Labor Code specifies various conditions of employment, including termination procedures, severance pay, maternity leave, trade union consultation rights in some management decisions, annual and sick leave entitlement, and labor conflict resolution procedures. Under the Code, the official workday is set at 8 hours; however, it may vary depending upon the nature of the industry. A 48-hour rest period is required during any 7-day period. In July Parliamentary amendments to the Labor Code entered into effect, which incorporate into law nine European Union (EU) directives that cover protection and rights of employees, conditions of employment, and equal opportunity in employment; the amendments brought the Labor Code into conformity with EU standards. However, labor groups have criticized the amendments for allowing employer flexibility in scheduling the obligatory 2 days of rest per week.

Labor courts and the Ministry of Economy enforced occupational safety standards set by the Government, but specific safety conditions are not consistent with internationally accepted standards. The enforcement of occupational safety standards is not always effective, in part due to the limited resources. Under the Labor Code, workers have the right to remove themselves from dangerous work situations without jeopardy to continued employment; this right is respected in practice.

f. Trafficking in Persons

The law prohibits trafficking in persons; however, trafficking in persons is a serious problem. Border officials facilitated trafficking.

The country primarily is a transit, but also is a source and destination country for trafficked persons. Women and children are trafficked for sexual exploitation mostly from Romania, Ukraine, Moldova, Poland, Yugoslavia, and China to and through the country to Austria, Germany, Spain, the Netherlands, Italy, France, Switzerland, and the United States. Trafficking victims from Hungary typically are women from the eastern part of the country, where unemployment is high. They are trafficked to other European countries or other parts of the world, primarily to Austria, Belgium, Germany, Italy, and the Netherlands, but also to Canada, Japan, Spain, Switzerland, and Turkey. Men trafficked for forced labor through Hungary to the EU and the United States come from Iraq, Pakistan, Bangladesh, and Afghanistan.

Many of the victims of trafficking are brought to the country by organized crime syndicates, either for work as a

prostitute in Budapest or for transit to Western Europe or North America. Hungarian trafficking rings also exploited victims by using them as babysitters, housekeepers, and manual laborers. Russian-speaking organized crime syndicates are active in trafficking women primarily from Ukraine and other countries of the former Soviet Union to the EU through Hungary. Hungarian victims mainly are young women, although they also include men, middle-aged women, and children. They are recruited at discos and modeling agencies, through word-of-mouth, or even through open advertisements in local papers and magazines. Some know that the purpose of the trip is to perform illegal work; others believe that they are using an alternative means of attaining a visa, and others plan to work but believe that the appropriate papers and permission will be obtained by the organizers, who turn out to be traffickers. Once at their destination they are forced into prostitution or other exploitation. Traffickers often confiscate identification documents, and severely restricted the freedom of movement of victims.

Corruption is a major problem among border officials, who generally do not earn a living wage and thus often take bribes from traffickers. In many villages in the eastern part of the country, the local police know who the traffickers are, but are reluctant to pursue investigations for fear of reprisals from the better financed, better equipped, and better armed traffickers.

Parliament has amended the Penal Code to add a trafficking law that provides penalties commensurate with those for rape. Under the law, even preparation for the trafficking of persons is a criminal offense. The penalty for trafficking is between 2 and 8 years in prison; the trafficking of minors is punishable by up to 10 years in prison. However, if an organized trafficking ring is involved, the sentence can be life imprisonment or asset confiscation. An amendment to the alien law provides for immediate expulsion from the country of foreign traffickers. Prosecution of traffickers is difficult because there is no legislation to protect victims; however, in 2000 a total of 13 trafficking cases were brought to trial, all of which remained pending at year's end. The police Organized Crime Task Force investigates trafficking cases involving organized crime, and the Government cooperates with foreign countries to facilitate improved police cooperation to combat organized crime and trafficking in persons.

The Government provides limited assistance to victims of trafficking. In theory assistance with temporary residency status, short-term relief from deportation, and shelter assistance are available to trafficking victims who cooperate with police and prosecutors; however, there are no documented cases in which such assistance was provided. Allegedly police and immigration officials often treat trafficking victims as criminals and refuse to accept reports of kidnapping against young women.

Parliament passed a resolution in July 1999 that called for a victim protection plan to be implemented by August. The Ministry of Interior has established a Victim Protection Office, has established a victim protection fund, and has posted information brochures on victim protection in every police station. Branches of a new Victim Protection Office, which provide psychological support services and legal advocacy for victims, safeguard their rights, and attempt to minimize the trauma of trials, operate in 42 localities (see Section 1.e.). However, the women's NGO Women Against Violence Against Women (NANE) reported that the Victim Protection Office does not deal exclusively or even primarily with victims of trafficking.

The International Organization of Migration (IOM) continued a program funded by the EU to raise awareness of the problem of trafficking and to educate potential victims. Women's rights organizations, the IOM, and the Ministry of Youth and Sport Affairs are conducting preventive programs for teenagers in schools. NANE established an information hot line that ran in parallel with the IOM campaign to provide information on types of trafficking-associated advertisements and situations that young women should avoid. In December NANE, the IOM, the public fund For a Safe Hungary, and foreign government funding established a joint project to continue and enhance the operation of the hot line.

The relationship between the Government and NGO's who work on trafficking problems is poor, with little or no contact between them. However, the Government reportedly was consulting with NGO's to provide antitrafficking sensitivity training to police. The Ministry of Social and Family Affairs conducted training of Government officials in techniques to identify and combat human trafficking.